

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

9 UNITED STATES OF AMERICA,)
10 Plaintiff,) NO. CR-05-2029-LRS
11 v.) ORDER GRANTING MOTION
12 HECTOR MENDOZA-MEJIA,) TO DISMISS
13 Defendant.)

15 Before the Court is the Defendant's Motion to Dismiss (Ct.
16 Rec. 25). As set forth in his motion, Defendant's December 19,
17 2003 deportation cannot serve as a basis for prosecution in the
18 instant case because the Defendant was denied due process during
19 the underlying deportation proceeding.

20 Based upon the foregoing, **IT IS HEREBY ORDERED** that
21 Defendant's Motion to Dismiss (Ct. Rec. 25) is **GRANTED**.

22 **IT IS SO ORDERED.** The District Court Executive is directed
23 to enter this Order and provide copies to counsel and the United
24 States Marshal's Office.

25 DATED this 13th day of July, 2005.

s/Lonny R. Suko

LONNY R. SUKO
United States District Judge

ORDER GRANTING MOTION TO DISMISS